

Sr. No. 220

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M No.22727 of 2022

Date of Decision: 30.05.2022

Pardeep

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sandeep Saini, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 19 dated 27.01.2022, under Section 379 read with Section 34 IPC, registered at Police Station Safidon City, District Jind (Haryana).

It has been submitted by learned counsel for the petitioner that the petitioner is in custody from 17.03.2022 and the allegations as per the FIR were that there was a theft of Rs.40,000/- from the complainant, who was travelling in the bus. Learned counsel has submitted that the petitioner has been falsely implicated in the present case as according to the prosecution, he has made a confessional statement in some other case and that was the reason as to why he was nominated in the present case. He submitted that the subject matter of the alleged theft qua the petitioner was only an amount of Rs.10,000/-. Furthermore, the investigation of the case

has already been completed and the challan has been presented and no further recovery is to be effected from the petitioner. He further submits that there are two more cases against the petitioner but he is already on bail in those cases and it was only because of those cases that the name of the petitioner was nominated on the basis of his own statement in some other case. He has further submitted that the similarly situated co-accused namely Sanjay was granted bail by this Court on 11.05.2022 in CRM-M No.18845 of 2022.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody from 17.03.2022 and investigation of the case has been completed and the challan has been presented.

I have heard learned counsel for the parties.

The petitioner is in custody from 17.03.2022. Investigation of the case has been completed and the challan has been presented before the learned trial Court. The subject matter of the theft was Rs.40,000/- as alleged by the complainant while he was travelling in the bus, the same was snatched and the role attributed to the petitioner was for an amount of Rs.10,000/-. Other similarly situated co-accused namely Sanjay was granted bail by this Court on 11.05.2022 in CRM-M No.18845 of 2022 . The pendency of two other cases against the petitioner would not become a ground for denial of bail to him.

In view of the aforesaid facts and circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety bonds to the

satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

30.05.2022
monika

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No